

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1074 OF 2006

IN

NOTICE OF MOTION NO.3950 OF 2005

IN

SUIT NO.3376 OF 2005

Office Notes, Office

Memoranda of Coram

appearances, Court's orders

or directions and

Prothonotary's orders

Court's or Judge's orders

Mr.N.G.Thakkar, Sr.Counsel with Ms
Tanvi Gandhi i/by M/s.Markand
Gandhi & Co. for the plaintiffs.

Mr.Navin Parikh with Mr.Kishor
Jain, Ms.Shweta Shetty i/by
Tushar Goradia & Bhavik Manek for
defendant nos.7 to 11.

Mr.Arif Bookwala with Mr.Mohd.
Akram i/by Hiralal Thakker & Co.
for defendant nos.1 to 3.

Mr.V.N.Kantawala for defendant
no.4

Coram : R.S.Mohite, J

Date : 26.09.2006.

PC

1. The Chamber summons was heard at substantial length. I am inclined to dismiss the Chamber summons on merits. At the stage of passing of the order, Counsel appearing for the applicant states that he would prefer to withdraw the Chamber summons. Chamber summons is

therefore, dismissed as withdrawn. I find that the Chamber summons was frivolous and for inspection of documents which were either annexed to the plaint, inspection of which was already taken from other defendants or court record before taking out of the Chamber summons or in respect of documents available with the Registrar of companies. Hence, I impose cost of Rs.5000/-. Cost to be paid to the 'Legal Aid Services' run by the Bar Council of Maharashtra within a period of 2 weeks from today.

(R.S.Mohite, J)